

REMARKS

1. The Amendments and the Support Therefor

Thirteen claims (2-7, 10, 12-14, 16, 25, and 26) have been canceled, twelve new claims (27-38) have been added, and claims 1, 8, 9, 15, 17, and 18 have been amended to leave claims 1, 8, 9, 15, 17, 18, 20, and 27-38 in the application. No payment is due for the amendments because no claims are added which exceed the amount originally paid for. No new matter has been added by the amendments or new claims, wherein:

- ***Independent claim 1*** has been amended to incorporate elements of claims 2-7, 12-14, and 16, with the additional limitation that the contiguous segments of electrically conductive filaments or fibres provide conductive paths that conform to a desired geometry and a desired electrical characteristic. Amendments were also made to address the language of the incorporated claims which was rejected under 35 USC §112(2)).
- ***New claims 27 and 36*** find support at (for example) page 10 line 15 of the application as filed.
- ***New claims 28 and 37*** find support at (for example) page 11 line 16 of the application as filed.
- ***New claims 29 and 38*** find support at (for example) page 12 lines 1-11 of the application as filed.
- ***New claim 30*** finds support in claim 1 (as amended).
- ***New claim 31*** finds support in claim 8 (as amended).
- ***New claim 32*** finds support in claim 9 (as amended).
- ***New claim 33*** finds support in claim 15 (as amended).
- ***New claim 34*** finds support in claim 17 (as amended).
- ***New claim 35*** finds support in claim 18 (as amended).

Further comments regarding the new claims are set out below at Section 5 of this Response.

2. Sections 2-3 of the Office Action: Rejection of Claims 7-10, 16-18, and 20 under 35 USC §112(2)

Regarding claims 7-9 (claim 7 now being incorporated in claim 1), the “is subject to” language of claims 7-9 has been amended to “include” to obviate the rejections.

Claim 10 is canceled to obviate its rejection.

Regarding claim 16, now incorporated in claim 1, it is evident that the “number” referred to is the number of contiguous segments. Note the language in question:

wherein the contiguous segments of electrically conductive filaments or fibres have a length and/or number and/or arrangement and/or linear resistivity chosen so as to constitute one or more resultant conductive paths that conform to a desired geometry and a desired electrical characteristic

A plain reading shows that the “number” relates to the contiguous segments, as does the “length,” “arrangement,” and “linear resistivity.” Additionally, the “required” language has been clarified to specify that the contiguous segments of electrically conductive filaments/fibres provide conductive paths that conform to a desired geometry and a desired electrical characteristic, and this language is clear to a skilled artisan (or even to a lay reader). Examples of desired geometries are now given in new claims 27 to 29, and examples of desired electrical characteristics are given in claim 17.

3. Sections 4-5 of the Office Action: Rejection of Claims 1-10, 12-14, 16-18, and 20 under 35 USC §102 in view of U.S. Published Patent Appln. 2003/0119391 to Swallow et al.

Claim 1, from which all other rejected claims depend, now relates to a resistive element having fixed geometry and resistive value. Claim 1 is therefore distinguished from *Swallow et al.*, which discloses only pressure-sensitive textiles whose resistance varies by changing their geometry when pressure is applied. This is in direct contrast to the matter of claim 1 (which, again, recites fixed geometry and resistive value). It should be apparent that one of ordinary skill at the time the invention was made, who knew of *Swallow et al.* but not of the claimed invention, would never contemplate the claimed invention in view of *Swallow et al.*, since the entire purpose of *Swallow et al.* is to provide a fabric whose electrical properties vary with pressure/flexure. See MPEP 2143.01 (subsection entitled “The Proposed Modification Cannot

Change the Principle of Operation of a Reference’’). Here, it simply cannot fairly be said that one would contemplate an element with fixed geometry / resistance, as claimed, in view of the references of record.

4. Section 6 of the Office Action: Rejection of Claims 15, 18, and 20 under 35 USC §103(a) in view of U.S. Published Patent Appln. 2003/0119391 to Swallow et al. and U.S. Patent 6,333,736 to Sandbach

These claims, which all depend from claim 1, are submitted to be allowable for the reasons noted in the foregoing Section 3 of this Response.

5. New Claims 27-29

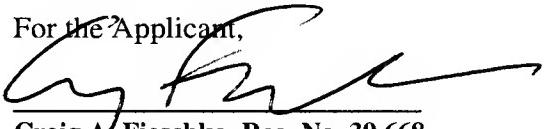
New claims 27-29 all depend from claim 1, and are submitted to be allowable for the reasons noted in the foregoing Section 3 of this Response.

New claims 30-38 parallel claims 1, 8, 9, 15, 17, 18, and 27-29, wherein claim 30 is submitted to be allowable for at least the same reasons as claim 1 (discussed in the foregoing Section 3 of this Response), with claims 31-38 being allowable for at least the same reasons.

6. In Closing

If any questions regarding the application arise, please contact the undersigned attorney. Telephone calls related to this application are welcomed and encouraged. The Commissioner is authorized to charge any fees or credit any overpayments relating to this application to deposit account number 18-2055.

For the Applicant,



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